

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SERGEY SPITSYN,  
Plaintiff,  
v.  
RICHARD MORGAN, *et al*,  
Defendants.

Case No. C04-5134FDB

ORDER DENYING PLAINTIFF'S  
MOTION TO REPRIMAND  
DEFENDANTS AND REQUEST  
TO DELIVER PUBLICATIONS

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Magistrates Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure. The case is before the Court on plaintiff's filing of a motion to reprimand defendants (Dkt. #66). After reviewing the motions and the balance of the record, the Court finds and orders as follows:

In his motion, plaintiff sets forth an allegation regarding the alleged denial of the delivery of a foreign language magazine to him by certain prison officials. He seeks an order reprimanding defendants. However, plaintiff fails to state that any of the defendants named in his amended complaint participated in denying delivery of that magazine. He also fails to explain that any such action was improper or violated any duty defendants had with respect to him. Finally, plaintiff does not state exactly what he requests the Court to reprimand defendants for, or even show that such a remedy is proper here. For all of the above

1 reasons, plaintiff's motion to reprimand defendants (Dkt. #66) hereby is DENIED.

2 Plaintiff also has filed a document, with attached exhibits, requesting that the Court issue an order  
3 directing defendants to deliver to him all past and future issues of the above specified magazine "without  
4 undue delay." (Dkt. #65, p. 3). While plaintiff does submit evidence this time that one of the named  
5 defendants may have been involved in the alleged denial of delivery, again, because he has not  
6 demonstrated that any of the defendants named in his complaint acted improperly with respect to that  
7 alleged denial, this request (Dkt. #65) hereby is DENIED as well.

8 The Clerk is further directed to send a copy of this Order to plaintiff and counsel for defendants.

9 DATED this 19th day of April, 2006.

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13 Karen L. Strombom  
14 United States Magistrate Judge  
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